

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claims 1, 8, 20, 30, 33-34, and 37-46 are amended. Thus, claims 1-2, 5-34, and 37-46 are pending for further examination.

Housekeeping Matters

An Exclusive Substitute Power of Attorney and a Correspondence Address Indication Form are being submitted herewith.

Unless otherwise explicitly stated, no reliance is placed on the amendments/remarks previously made in connection with the prosecution of this application.

Applicant respectfully requests that a new, non-final Office Action be issued, at least because the Office Action dated 7/23/2008 was improperly made final. That is, the new ground of rejection (i.e., the Section 103 rejection of all claims 1-2, 5-34, and 37-46 based on the alleged Karmarkar/Lamle combination) was not necessitated by Applicant's amendment of the claims. Such is evidenced by the continued rejection of all claims 1-2, 5-34, and 37-46 based on the alleged Karmarkar/Jarvis combination, which rejection did not substantively change since the previous Action. Lamle also was made "of record" previously and easily could have been applied in the first instance.

The Final Office Action includes various statements that indicate that the claim language might not be fully understood. Applicant respectfully submits that the claims are fully understandable to those of ordinary skill in the art, and certainly are clear and definite for the purposes of § 112. However, if there is any outstanding confusion as to what the claims might mean, the Examiner is kindly requested to contact the undersigned attorney or, if absolutely

necessary, make a § 112 rejection so that Applicant can fully respond to any demonstrated deficiencies in the claim language.

Rejections under 35 U.S.C. § 103(a)

Claims 1-2, 5-34, and 37-46 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Karmarkar (U.S. Patent No. 6,508,709) in view of Jarvis (6,890,255). Claims 1-2, 5-34, and 37-46 also stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Karmarkar in view of Lamle (U.S. Patent No. 5,048,833). These rejections are respectfully traversed for at least the following reasons.

Independent claim 1 requires, *inter alia*, that “each said wager [is] made in accordance with a player-specified scheme including a bet amount and a bet type.” The other independent claims have been amended to require similar features. The prior art of record, alone and in combination, does not teach or suggest these features of the independent claims. Thus, the prior art of record, alone and in combination, does not render obvious claims 1-2, 5-34, and 37-46.

In certain exemplary embodiments of Applicant’s claimed invention, a player may play a plurality of games from a plurality of game sources. To facilitate the potentially complicated action that might result from playing two or more games at locations remote from one another, the player may choose to wager according to a common wagering scheme. Such a wagering scheme could include at least a bet amount and a bet type. More concretely, a wagering scheme of this sort might be, for example, “Wager 5 credits on all roulette tables coming up on black.” The bet amount in this example would be 5 credits per table, and the bet type would be black. Although this bet is quite basic, the scheme may be of any level of sophistication. Once specified by the player, all of the games that the player is participating in would be subject to this

scheme, regardless of how simple or complicated it actually is. Thus, a simple bet or a complicated bet may be specified by the player but, in either case, the scheme will be commonly applied as the wager to all of the games in which the player is participating. The ability to make wagers in this way is advantageous when multiple games from multiple remote sources are taking place at the same time. In other words, the ability to apply a common wagering scheme to a plurality of concurrent wagering scenarios is beneficial for players.

The prior art of record does not teach or suggest the claimed arrangement of features. Indeed, Karmarkar actually teaches away from the above-noted features of the independent claims. That is, Karmarkar teaches allowing players to participate in simplified games and/or encourages them not to make complicated bets. The simplification to the games and/or bets that players can make actually obviates the need to provide the claimed common wagering scheme.

Jarvis naturally discloses placing bets, for example, at col. 6, line 43 to col. 7, line 11, where it discusses using a bet selector to select pay lines. However, Jarvis is completely silent regarding Applicant's specifically claimed common wagering schemes. Even the alleged Karmarkar/Jarvis combination is deficient in this regard.

Furthermore, Jarvis concentrates on the playing of two live or simulated devices (such as roulette) where the outcome is determined from the single position or from a single gaming device -- rather than betting on games where the outcome is determined by devices located in alternate remote locations. The language of claim 1 (and the other independent claims) reflects the remote aspect and thus also reflects the difference between the origin(s) of the game outcome, when comparing the alleged Karmarkar/Jarvis combination with the invention of claim 1 (and the other independent claims).

Additionally, inasmuch as Lamle is directed to techniques for awarding progressive jackpots when the outcome of an actual series of games is the same as the outcome of a hypothetical series of games determined by a random number generator, it clearly is not directed to, and does not include corresponding teachings or suggestions of, Applicant's specifically claimed wagering scheme. Even the alleged Karmarkar/Lamle combination is deficient in this regard.

Furthermore, Lamle does discuss the ability to be awarded a total of three levels of jackpot prize based on "hypothetical" game wins compared to actual game wins. Essentially, these random events associated with bets on individual games appear to be limited to three random levels of prizes, with each separate level being reset to the minimum value after that level has been awarded. However, Lamle does not teach or suggest a jackpot award based on the outcome of more than one game, or the outcome of a combination of events between more than one game. Accordingly, combining Karmarkar and Lamle would not lead one or ordinary skill in the art at the time of the invention to the invention of claim 1 (or the invention of the other independent claims).

In view of the above, Applicant respectfully submits that the prior art of record, alone and in combination, fails to teach or suggest "each said wager being made in accordance with a player-specified scheme including a bet amount and a bet type," as required by claim 1 (and its dependents) or the similar features of the other independent claims (and their respective dependents). Additionally, the alleged combinations of Karmarkar and either Jarvis or Lamle (even if appropriate, which Applicant does not concede) also are deficient with respect to the claimed origins of the game outcome and jackpot awards. Accordingly, reconsideration and withdrawal of the Section 103 rejections are respectfully requested.

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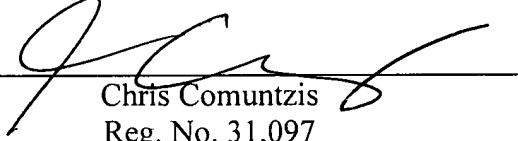
Conclusion

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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